

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	
	:	PRELIMINARY ORDER OF
- v. -	:	FORFEITURE/
	:	<u>MONEY JUDGMENT</u>
ALSENY KEITA,	:	
	:	19 Cr. 808 (VEC)
Defendant.	:	
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WHEREAS, on or about November 13, 2019, ALSENY KEITA, (the “Defendant”), was charged in three-count Superseding Indictment, 19 Cr. 808 (VEC) (the “Indictment”), with wire fraud, in violation of Title 18, United States Code, Sections 1343 and 2 (Count One); bank fraud, in violation of Title 18, United States Code, Sections 1344 and 2 (Count Two); and conspiracy to commit wire fraud and bank fraud, in violation of Title 18, United States Code, Section 1349 (Count Three);

WHEREAS, the Indictment included a forfeiture allegation as to Count One and the wire fraud object in Count Three of the Indictment, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28 United States Code, Section 2461(c), of any and all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offenses charged in Count One and the wire fraud object in Count Three of the Indictment, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of the offenses charged in Count One and the wire fraud object of Count Three of the Indictment;

WHEREAS, the Indictment included a forfeiture allegation as to Count Two and the bank fraud object of Count Three of the Indictment, seeking forfeiture to the United States,

pursuant to Title 18, United States Code, Section 982(a)(2)(A), as a result of the commission of the offenses charged in Counts Two and the bank fraud object in Count Three of the Indictment;

WHEREAS, on or about February 26, 2021, the Defendant pled guilty to Counts One through Three of the Indictment;

WHEREAS, the Government asserts that \$305,385.57 in United States currency represents property constituting, or derived from proceeds traceable to the commission of the offenses charged in Count One through Three of the Indictment, that the Defendant personally obtained;

WHEREAS, the Government seeks a money judgment in the amount of \$305,385.57 in United States currency, pursuant to Title 21, United States Code, Section 853, representing the amount of proceeds traceable to the offense charged in Counts One through Three of the Indictment that the Defendant personally obtained;

WHEREAS, the Court finds that, as a result of acts and/or omissions of the Defendant, the proceeds traceable to the offenses charged in Counts One through Three of the Indictment that the Defendant personally obtained, cannot be located upon the exercise of due diligence;

WHEREAS, on September 30, 2021, at the defendant's sentencing, the Court ordered forfeiture in the amount of \$305,385.57 as part of the defendant's sentence.

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. As a result of the offense charged in Counts One through Three of the Indictment, to which the Defendant pled guilty, a money judgment in the amount of \$305,385.57 in United States currency (the "Money Judgment"), representing the amount of proceeds traceable

to the offenses charged in Counts One through Three of the Indictment that the Defendant personally obtained, shall be entered against the Defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Preliminary Order of Forfeiture/Money Judgment is final as to the Defendant, ALSENY KEITA, and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding Money Judgment shall be made by postal money order, bank or certified check, made payable to the United States Marshals Service, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Money Laundering and Transnational Criminal Enterprises Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the Defendant's name and case number.

4. The United States Marshals Service is authorized to deposit the payments on the Money Judgment in the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to 21 U.S.C. § 853(p), the United States is authorized to seek forfeiture of substitute assets of the Defendant up to the uncollected amount of the Money Judgment.

6. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

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7. The Court shall retain jurisdiction to enforce this Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

SO ORDERED:



HONORABLE VALERIE E. CAPRONI
UNITED STATES DISTRICT JUDGE

10.21.21
DATE